

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>10-21-11</u>
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-against- :

PETER GHAVAMI, GARY HEINZ, :
and MICHAEL WELTY, :

Defendants. :

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UNITED STATES OF AMERICA :

-against- :

DOMINICK P. CAROLLO, :
STEVEN E. GOLDBERG, and :
PETER S. GRIMM, :

Defendants. :

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UNITED STATES OF AMERICA :

-against- :

RUBIN/CHAMBERS, DUNHILL :
INSURANCE SERVICES, INC., :
DAVID RUBIN, ZEVI WOLMARK, :
and EVAN ANDREW ZAREFSKY, :

Defendants. :

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No. 10 Cr. 1217 (JFK)

No. 10 Cr. 654 (HB)

No. 09 Cr. 1058 (VM)

ORDER

**JOHN F. KEENAN, HAROLD BAER, JR., and VICTOR MARRERO, United
States District Judges:**

On October 11, 2011, the Government submitted to Judge Marrero an application for an order to disclose portions of eight consensual recordings that contain potentially privileged material, as well as Brady material, to Defendants in each of the above-listed cases. Concurrently, third parties Investment

Management Advisory Group, Inc., David Eckhart, and Martin Stallone moved for a protective order and evidentiary hearing to prevent disclosure of certain recordings. It is hereby ORDERED as follows:

1. The Government shall file its initial application to disclose Brady material in United States v. Carollo, et al., 10 Cr. 654 (HB) and United States v. Ghavami, et al., 10 Cr. 1217 (JFK) and ensure that each judge receives copies of the consensual tape recordings that are the subject of the application, as well as transcripts of those recordings;


2. The Government shall file a response to the motion for a protective order in each of the three cases no later than November 14, 2011;

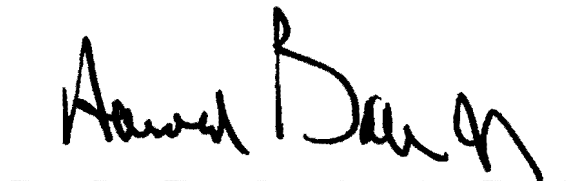
3. Third parties Investment Management Advisory Group, Inc., David Eckhart, and Martin Stallone shall file a reply, if any, in each of the three cases no later than November 22, 2011;

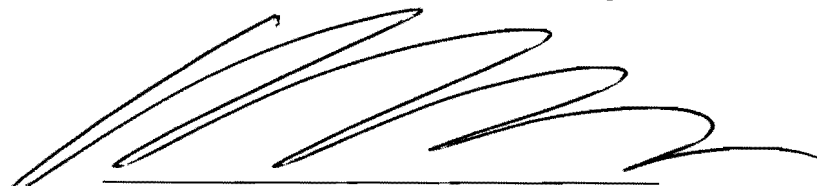
4. The Court will hear oral argument on the motion on December 2, 2011 at 3:30 p.m. in Courtroom 23-B.

SO ORDERED.

Dated: New York, New York
October 20, 2011


John F. Keenan
United States District Judge


Harold Baer, Jr.
United States District Judge


Victor Marrero
United States District Judge